

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
	:	
v.	:	DATE FILED: _____
	:	
JAMES HANNAH	:	VIOLATIONS:
	:	18 U.S.C. § 924(a)(1)(A)(false statements
	:	to federally-licensed firearms dealer -
	:	2 counts)
	:	18 U.S.C. §§ 922(a)(1)(A) and
	:	924(a)(1)(D)(engaging in the business of
	:	dealing in firearms without a license -
	:	1 count)
	:	Notice of forfeiture

INDICTMENT

COUNTS ONE AND TWO

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Lock's Philadelphia Gun Exchange and the Shooter Shop, each located in Philadelphia, Pennsylvania, possessed a federal firearms license ("FFL") and was authorized to deal in firearms under federal laws.
2. FFL holders are licensed, among other things, to sell firearms and ammunition. Various rules and regulations, promulgated under the authority of Chapter 44, Title 18, United States Code, govern the manner in which FFL holders are permitted to sell firearms and ammunition.
3. The rules and regulations governing FFL holders require that a person seeking to purchase a handgun fill out a Firearms Transaction Record, ATF Form 4473. Part of the Form 4473 requires that the prospective purchaser certify truthfully, subject to penalties of

perjury, that he or she was the “actual buyer” of the firearm. The Forms 4473 in effect at the times relevant to this indictment contained a provision explaining what it meant to be an actual buyer, as opposed to a “straw purchaser,” that is, someone falsely posing as an actual buyer.

3. FFLs are required to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of firearms sold by the FFL holder, including the buyer’s home address and date of birth.

4. On or about the dates listed below, in the Eastern District of Pennsylvania, defendant

JAMES HANNAH,

in connection with the acquisition of each of the firearms listed below from the FFL holders listed below, knowingly made false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the FFL holders’ records, in that defendant HANNAH certified on the Form 4473 that he was the actual buyer of the firearm, when in fact, as defendant knew, another individual known to the grand jury was the actual buyer.

Count	Date	FFL	Firearm	Serial Number
1	9/19/03	Lock’s Philadelphia Gun Exchange, Philadelphia, PA	Glock Model 27 .40 caliber semiautomatic pistol	FMD512
2	9/20/03	The Shooter Shop, Philadelphia, PA	Taurus .45 caliber semiautomatic pistol	NWC 48317

All in violation of Title 18, United States Code, Section 924(a)(1)(A).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs One through Three of Counts One and Two are realleged here.
2. During 2003 and 2004, defendant **JAMES HANNAH** sold, for profit, the guns that are the subject of Counts One and Two, as well as at least six other firearms, to individuals known and unknown to the grand jury.
3. At all times material to this indictment, defendant **JAMES HANNAH** was not licensed to sell firearms.
4. From at least in or about June 2003, through in or about January 2004, in the Eastern District of Pennsylvania, defendant

JAMES HANNAH

willfully engaged in the business of dealing in firearms without being licensed to do so under the provisions of Chapter 44, Title 18, United States Code.

In violation of Title 18, United States Code, Sections 922(a)(1)(A) and 924(a)(1)(D).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Sections 922(a)(1)(A) and 924(a)(1)(A), set forth in this indictment, defendant

JAMES HANNAH

shall forfeit to the United States of America all firearms and ammunition involved in the commission of such offenses, including, but not limited to:

- _____
1. Smith & Wesson .38 caliber semiautomatic pistol, Serial No. RAE 4996;
 2. Lama .45 caliber semiautomatic pistol, Serial No. 71040664703;
 3. Ruger Model P 95, 9mm semiautomatic pistol, Serial No. 315-15793;
 4. Glock, Model 27 .40 caliber semiautomatic pistol, Serial No. FMD 512;
 5. Taurus .45 caliber semiautomatic pistol, Serial No. NWC 48317;
 6. Berretta .40 caliber semiautomatic pistol, Serial No. SN 013981
 7. CZ Model 100D 9mm semiautomatic pistol, Serial No. C 6495; and
 8. Mossberg Legacy 12 gauge shotgun, Serial No. 101369503.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
UNITED STATES ATTORNEY